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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
09/855,723	05/16/2001	Hirota Nakano	WN-2338	9420
466	7590	04/16/2004	EXAMINER	
YOUNG & THOMPSON 745 SOUTH 23RD STREET 2ND FLOOR ARLINGTON, VA 22202			DIMYAN, MAGID Y	
			ART UNIT	PAPER NUMBER
			2825	

DATE MAILED: 04/16/2004

Please find below and/or attached an Office communication concerning this application or proceeding.

**Office Action Summary**

Application No.

09/855,723

Applicant(s)

NAKANO ET AL.

Examiner

Magid Y Dimyan

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AW

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

**Period for Reply**

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

**Status**

- 1) ☒ Responsive to communication(s) filed on 04 March 2004.
- 2a) ☒ This action is **FINAL**. 2b) ☐ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

**Disposition of Claims**

- 4) ☒ Claim(s) 1-27 is/are pending in the application.
- 4a) Of the above claim(s) \_\_\_\_\_ is/are withdrawn from consideration.
- 5) ☐ Claim(s) \_\_\_\_\_ is/are allowed.
- 6) ☒ Claim(s) 1 and 27 is/are rejected.
- 7) ☒ Claim(s) 2-26 is/are objected to.
- 8) ☐ Claim(s) \_\_\_\_\_ are subject to restriction and/or election requirement.

**Application Papers**

- 9) ☒ The specification is objected to by the Examiner.
- 10) ☒ The drawing(s) filed on 16 May 2001 and 04 March 2004 is/are: a) ☒ accepted or b) ☐ objected to by the Examiner.

Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).

Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).

- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

**Priority under 35 U.S.C. § 119**

- 12) ☒ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☒ All b) ☐ Some \* c) ☐ None of:
1. ☒ Certified copies of the priority documents have been received.
2. ☐ Certified copies of the priority documents have been received in Application No. \_\_\_\_\_.
3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

\* See the attached detailed Office action for a list of the certified copies not received.

**Attachment(s)**

- 1) ☐ Notice of References Cited (PTO-892)
- 2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
- 3) ☒ Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08)  
Paper No(s)/Mail Date 10/17/2003.
- 4) ☐ Interview Summary (PTO-413)  
Paper No(s)/Mail Date. \_\_\_\_\_.
- 5) ☐ Notice of Informal Patent Application (PTO-152)
- 6) ☐ Other: \_\_\_\_\_.

## **DETAILED ACTION**

### ***Acknowledgement***

1. Receipt is acknowledged of the Amendments to the Specification, and to the Drawings, filed 04 March 2004, as well as the Reply to the Office Action, also filed on 04 March 2004. The arguments made by the Applicants were persuasive to overcome the rejections of claims 2 – 26 made by the Examiner in the Office Action, but the Examiner has found grounds for objections to the Specification and several of the claims, as cited below. Claims 1 and 27 still stand rejected for the reasons given below.

### ***Specification***

2. The abstract of the disclosure is objected to because the reference numbers used in the Abstract should be removed. Correction is required. See MPEP

§ 608.01(b).

3. Applicant is reminded of the proper language and format for an abstract of the disclosure.

The abstract should be in narrative form and generally limited to a single paragraph on a separate sheet within the range of 50 to 150 words. It is important that the abstract not exceed 150 words in length since the space provided for the abstract on the computer tape used by the printer is limited. The form and legal phraseology often used in patent claims, such as "means" and "said," should be avoided. The

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abstract should describe the disclosure sufficiently to assist readers in deciding whether there is a need for consulting the full patent text for details.

The language should be clear and concise and should not repeat information given in the title. It should avoid using phrases which can be implied, such as, "The disclosure concerns," "The disclosure defined by this invention," "The disclosure describes," etc.

4. The disclosure is objected to because it contains an embedded hyperlink and/or other form of browser-executable code (see for example, page 2). Applicant is required to delete the embedded hyperlink and/or other form of browser-executable code. See MPEP § 608.01.

5. The title of the invention (System of Manufacturing Semiconductor Integrated Circuit) is not descriptive. A new title is required that is clearly indicative of the invention to which the claims are directed.

### ***Claim Objections***

6. Claims 1 - 27 are objected to because of the following informalities: The claims are replete with grammatical and other errors. For example, in claim 1, line 5, delete "each of said centers", and insert --said designing center--; claim 1, line 6, delete "databases" and insert -- database--; claim 2, line 3, delete "costs", and insert --cost--; claim 2, line 19, delete "one of"; claim 3, line 11, delete "statuses", and insert --status-- (there are a number of other occurrences of that word that also require correction);

claim 3, line 15, delete “designing”, and insert --design--; claim 3, line 16, delete “outputs”, and insert --output--; claim 13, line 6, delete “;”, and insert --;--; claim 14, on both lines 2 and 3, delete “mirrored line” and insert --mirrored server--. The Applicant is urged to check all claims carefully to ensure that proper idiomatic English is used. Appropriate correction is required.

### ***Claim Rejections - 35 USC § 102***

7. The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –

(e) the invention was described in (1) an application for patent, published under section 122(b), by another filed in the United States before the invention by the applicant for patent or (2) a patent granted on an application for patent by another filed in the United States before the invention by the applicant for patent, except that an international application filed under the treaty defined in section 351(a) shall have the effects for purposes of this subsection of an application filed in the United States only if the international application designated the United States and was published under Article 21(2) of such treaty in the English language.

8. Claims 1 and 27 are rejected under 35 U.S.C. 102(e) as being anticipated by U.S. Patent No. 6,634,008 to Dole.

9. Referring to claim 1, Dole discloses a methodology for designing and manufacturing a semiconductor integrated circuit comprising a data-managing center having a database as well as remote design centers (Figs. 2 – 5; column 1, line 66 to column 2, line 43); a manufacturing center (column 4, lines 29 – 39); and a Web

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(Internet) connecting all these locations together as to provide a two-way communication. Dole thus cites all the elements of claim 1.

10. As per claim 27, see Fig. 12, which recites the use of Standard Cells. Standard Cells are exclusively used in ASIC device designs. Thus, Dole also teaches the limitations of claim 27.

### ***Allowable Subject Matter***

11. Claim 7 is objected to as being dependent upon a rejected base claim, but would be allowable if rewritten in independent form including all of the limitations of the base claim and any intervening claims.

12. Claims 2 - 26 are objected to as recited above, but contain allowable subject matter.

13. The following is a statement of reasons for the indication of allowable subject matter: See Acknowledgement above for reasons for allowing these claims.

### ***Response to Arguments***

14. Applicant's arguments filed 04 March 2004 pertaining to claims 1 and 27 have been fully considered but they are not persuasive for the following reasons: Dole teaches a manufacturing center (column 4, lines 29 – 39); and a Web (Internet) connecting all these locations as to provide a two-way communication (via email, for example, which is a feature commonly used by Internet users). See column 6, lines 11 – 18, which state “Upon completion of the design of the integrated circuit or block, *design details* are provided by the web server to the *factory* for fabrication of the IC or to an IP bank to allow other designers use of the designed block. In addition, the web server is linked via the Internet to customers 2503 and 2505. The customers may therefore be at almost any geographic locations, allowing designers to be located at great distances”. Thus, Dole cites all the limitations claimed in claim 1. Claim 27 is dependent on claim 1, and is also rejected because the limitations claimed herein are also cited by Dole.

### ***Conclusion***

15. **THIS ACTION IS MADE FINAL.** Applicant is reminded of the extension of time policy as set forth in 37 CFR 1.136(a).

A shortened statutory period for reply to this final action is set to expire THREE MONTHS from the mailing date of this action. In the event a first reply is filed within TWO MONTHS of the mailing date of this final action and the advisory action is not

mailed until after the end of the THREE-MONTH shortened statutory period, then the shortened statutory period will expire on the date the advisory action is mailed, and any extension fee pursuant to 37 CFR 1.136(a) will be calculated from the mailing date of the advisory action. In no event, however, will the statutory period for reply expire later than SIX MONTHS from the mailing date of this final action.

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Magid Y Dimyan whose telephone number is (571) 272-1889. The examiner can normally be reached on Monday - Friday 8:00 AM - 5:00 PM.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Matthew S Smith can be reached on (571) 272-1907. The fax phone number for the organization where this application or proceeding is assigned is 703-872-9306.

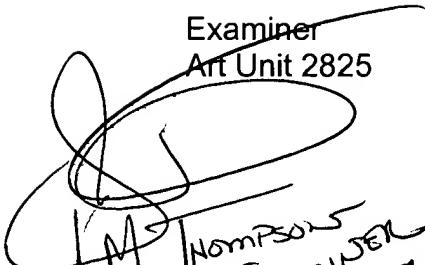
Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).

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